IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.357/2003

1. M/s. Pednekar Developers Pvt.Ltd.,
a Company registered under the
Indian Companies Act, 1956,
having registered Office at
F-1, Pushpak-I, Near Kirti Hotel,
Ponda, Goa, through its duly
Authorised Director,
Shri Raghunath Pednekar.

2. Shri Rajesh Raghunath Pednekar,
Director cum Share-holder of
M/s. Pednekar Developers Pvt.Ltd.,
Residing at M-3, Kundaikar
Nagar, Panaji, Goa. .... Petitioners.

Vs.

1. Shri Sunil Raghunath Pednekar,
residing at AB-1, Gulmohar Apts.
Behind Syndicate Bank,
Caranzalem, Goa.

2. Mrs. Snehalata Sunil Pednekar,
residing at AB-1, Gulmohar Apts.,
Behind Syndicate Bank,
Caranzalem, Goa. .... Respondents.

Mr. Nitin Sardessai, Advocate for the petitioners.

Mr. J.P. Mulgaonkar, Advocate for the respondents.

CORAM : F.I. REBELLO, J.

DATE : JULY 31, 2003.

ORAL JUDGMENT:

Rule. Heard forthwith.

Application for joinder of parties has been rejected. That joinder was sought on the ground of

bringing subsequent events on record by amending the plaint. Petition against rejection of amendment application, has been allowed by a separate order today. Once that be the case, the impugned order will have to be set aside and the petition will have to be allowed, remanding the matter to the trial Court for consideration on merits, after due notice to the parties sought to be joined.

2. In the light of that, rule made absolute in terms of prayer clause (a). Matter is remanded to the trial Court to dispose of the application according to law. After the entire process is over, the the trial Court to expedite the suit. No order as to costs.

F.I. REBELLO, J.

ssm.